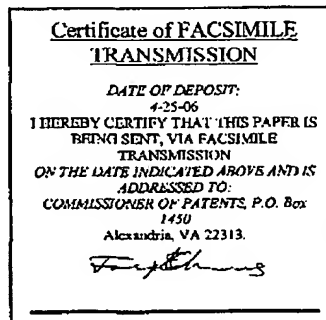


RECEIVED
CENTRAL FAX CENTERIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APR 25 2006

Serial No.: 10/740,263
Filed: 12/18/2003
For: CREATINE SALTS
AND METHOD OF MAKING SAME
Art Unit: 1621
Examiner: Price, Elvis O.
Atty Dkt.: 84-03



Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

On April 24, 2006, Applicant's attorney timely filed a Response to the Office Action dated December 22, 2005, along with a one-month extension of time, for the above-identified application. Also filed with the Response was a Declaration under 37 C.F.R. 1.131. The Declaration was inadvertently filed without a signature page.

Attached hereto is the signed page of the Declaration to be replaced by the non-signed page (page 2) in order to correct this oversight.

It is now believed that the application in condition for allowance

Respectfully submitted,

[Signature]
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P.2

- 5) I have read and understand the Negrisoli and Llewellyn references, and the corresponding rejections based on those references.
- 6) The inventions set forth in claims 1-13 of the present application were both conceived and reduced to practice in this country or in a NAFTA or WTO member country at least as early as May 6, 2002, which is well before the priority date of Llewellyn (October 18, 2002.)
- 7) Conception occurred at least as early as February 25, 2002, when I discussed various embodiments, including both di- and tri-creatine embodiments, with a contract laboratory.
- 8) It should also be noted that there was due diligence from conception to the subsequent reduction to practice.
- 9) An example of reduction to practice of the inventions according to the claims is illustrated in Exhibit 1 attached hereto, and dated May 6, 2002.
- 10) Exhibit 1 is a fax, received by the assignee of the present application, and showing a tri-creatine embodiment has been shipped from the contract laboratory, and was available for our receipt as of May 6, 2002.

The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and thus such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 4-25-06



Matthias Boldt